



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff,  
  
v.  
  
\_DAVID AVILA,  
Defendant.

Case No. 2:07CR-368

**ORDER OF DETENTION AFTER  
HEARING**

[F.R.Crim.P. 32.1(a)(6); 18 U.S.C. §  
3143(a)]

The defendant was arrested in this district pursuant to a no bail warrant issued by the United States District Court for the Central District of California for alleged violation of the terms and conditions of her supervised release.

The Court conducted a detention hearing pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. § 3143(a), at which time Defendant submitted to detention. Given the report and recommendation of pretrial services, the government's proffer, and Defendant's submission to detention, the Court finds that:

A. (X) The defendant has not met his/her burden of establishing by clear and convincing evidence that he/she is not likely to flee if released under 18 U.S.C. § 3142(b) or (c). This finding is based on the following:

1 - his submission and consequent failure to proffer any evidence to meet his  
2 burden on this issue;  
3 - the prior revocation of his supervised release;  
4 - the allegations in the charging document;  
5 and

6 B. (X) The defendant has not met his/her burden of establishing by clear and  
7 convincing evidence that he is not likely to pose a danger to the safety of any other  
8 person or the community if released under 18 U.S.C. § 3142(b) or (c). This finding  
9 is based on the following:

10 - his submission and consequent failure to proffer any evidence to meet his  
11 burden on this issue;  
12 - his serious criminal history; and  
13 - his history of substance abuse.

14 IT THEREFORE IS ORDERED that the defendant be detained pending the  
15 further revocation proceedings.

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17 DATED: August 20, 2015.

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21 GAIL J. STANDISH  
22 UNITED STATES MAGISTRATE JUDGE  
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